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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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4 LAKISHA NEAL-LOMAX, JOSHUA WILLIAM )

5 LOMAX, ALIAYA TIERRAEE LOMAX, JUANITA )

6 CARR, as Parent and Guardian of INIQUE)

7 ALAZYA LOMAX, AND JOYCE CHARLESTON, )

8 Individually and Special Administrator)

9 of the Estate of William D. Lomax Jr.,)

10 Plaintiffs, ) CASE NO.

11 V. ) CV-S-05-01404

12 LAS VEGAS METROPOLITAN POLICE ) PMP-RJJ

13 DEPARTMENT; OFFICER REGGIE RADER, In )

14 his individual and official capacity, )

15 et al., )

16 Defendants. )

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18 VIDEOCONFERENCED DEPOSITION OF STEVEN B. KARCH, M.D.

19 TUESDAY, AUGUST 14, 2007

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25 BY: CHRISTINE L. JORDAN, CSR NO. 12262

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1 Q. And you're not an expert on electricity?

2 A. I would.

3 Q. And you haven't published in the area of the  
4 effects of electricity on the human body, correct?

5 A. No, I have, actually.

6 Q. You have?

7 A. Yes, sir.

8 Q. And what would that be?

9 A. Let me find it.

10 Q. It's on Page 7, about midway down the page.

11 And it's my Fineschi, Karch, et al. And the title of  
12 the paper is, "The cardiac pathology of  
13 electrocution." It was published last year.

14 A. Let me find it.

15 One, two, three, four, five, six, seven --  
16 eighth from the top.

17 MR. BRAVE: Brad, on the version you and I are  
18 looking at, it's the last one on Page 7.

19 MR. MYERS: Oh, okay, I got it. Okay. Thank  
20 you.

21 BY MR. MYERS:

22 Q. Did that paper deal with the effect of  
23 electricity on the heart?

24 A. Yes.

25 Q. Did that paper deal with the effect of

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1 electricity on one's ability to breathe?

2 A. No. Only to the extent when your heart

3 isn't moving, you don't breathe very well.

4 Q. Okay. Fair enough.

5 Have you taught any courses in the area of

6 the effect of electricity on the human body?

7 MR. BRAVE: Objection; vague.

8 THE WITNESS: Could you restate it, please.

9 MR. MYERS: Sure.

10 BY MR. MYERS:

11 Q. Have you taught any courses relating to the

12 effect of electricity on the human body?

13 A. I have mentioned the Taser in the management

14 of excited delirium in courses that I have taught,

15 but I have never taught a course on the effects of

16 electricity on the body or electrical restraints.

17 Q. Do you think there's an increased risk in

18 using a Taser device on somebody who is showing signs

19 of excited delirium versus somebody who is not

20 showing signs of excited delirium?

21 A. I think it would depend upon their heart

22 size. If they had an enlarged heart, I do believe

23 that there would be a risk, but that's speculation on

24 my part because the experimental studies have not

25 been done.

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1 Q. Doctor, what's your area of expertise?

2 A. Cardiac pathology and the effect of drugs on  
3 the heart.

4 Q. Are you a toxicologist?

5 A. I function as a toxicologist, yes. I'm not  
6 a graduate of a formal training program. I believe  
7 I'm the only physician that belongs to the Society of  
8 Forensic Toxicology.

9 Q. Do you hold yourself out as an expert in the  
10 area of toxicology?

11 A. I hold myself out as an expert in the  
12 interpretation of toxicological results. I do not  
13 hold myself out as an expert in the ability to fix a  
14 quadruple maspectrometer or any of the other  
15 multi-million dollar equipment you see on CSI.

16 Q. Are you board certified in toxicology?

17 A. No.

18 Q. Are you an expert in the area of  
19 pharmacology?

20 A. I have college training in it. I would  
21 defer to --

22 Q. (Inaudible.)

23 I didn't mean to cut you off there.

24 A. I understand.

25 I would not defer to anyone in the

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1 application of the Taser to the neck and allegedly to  
2 the phrenic nerve.

3 But my knowledge of the Taser is entirely  
4 limited to what I read in the open peer-reviewed  
5 literature.

6 Q. Do you have any understanding of the  
7 warnings that Taser International issued in relation  
8 to the use of the X26 Taser?

9 A. We just discussed that I'm not a warning  
10 expert, and I don't know anything about what they  
11 tell people.

12 Q. All right.

13 How many times have you testified at trial?

14 A. Do you want a guess or should I go through  
15 the list? Because this list is -- let me go back a  
16 minute.

17 I think by "testified at trial," you mean as  
18 an expert witness. At one point I was the director  
19 of the emergency room at University Medical Center in  
20 Las Vegas. And I was frequently in court testifying  
21 on DUI cases and child abuse cases and assault cases.

22 And I have no idea how many times that was.  
23 I would guess it was more than 20 and less than 50,  
24 but I have no record.

25 Q. Okay.